

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KENNETH MCERLAIN,
Plaintiff,

v.

SPS TECHNOLOGIES,
Defendant.

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CIVIL ACTION

No. 17-3034

ORDER

AND NOW, this 28th day of January, 2019, upon consideration of Defendant SPS Technologies' Motion for Summary Judgment (Doc. No. 20), Plaintiff Kenneth McErlain's Response thereto (Doc. No. 21), Defendant SPS Technologies' Reply (Doc. No. 22), and Plaintiff Kenneth McErlain's Sur-Reply (Doc. No. 22) it is **ORDERED**:

1. that Defendant SPS Technologies' Motion for Summary Judgment (Doc. No. 20) is **GRANTED IN PART AND DENIED IN PART** as outlined in the Court's January 28, 2019 memorandum.
2. Plaintiff Kenneth McErlain's claims for Retaliation under the Pennsylvania Human Rights Act and Age Discrimination in Employment Act are **DISMISSED**.

BY THE COURT:

/s/ Gene E.K. Pratter

GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE